

ICT in the European Political Landscape

I think it has become a truism to say that ICT is central and essential to our current lifestyle, quality of life and economy. We have come a long way from the abacus, quill pens and smoke signals via the slide rule, printing press penny post and semaphore through pocket calculators, offset litho colour printing and the video recorder to computers, wireless, telephones, television, faxing, mobiles and the internet. Actually I could spend almost this entire speech listing all the devices, inventions and processes that are now available to us or are on the way.

It also seems to be the case that the pace of change or technological advance is quickening, judging by all the things I am having to learn how to use or at the very least understand their concept. Possibly this is an inter-generational issue as I can remember patiently, more or less, explaining to my father why it was necessary to play pop music very loudly and I compare this with my children talking me through how to make my DVD player or mp3 work, with equal patience. But, to put it another way, when I was a child 50 or so years ago personal communications and super-computers, i.e. mobiles and the internet, were merely the product of the fertile imaginations of science fiction writers as were electronic books or satellite navigation systems.

Which brings me to make the point that the pace and variety of change poses significant challenges to legislators and regulators as well as raising issues of importance to society at large. This is quite an appropriate time to be thinking about this in the immediate aftermath of the Parliamentary hearings for the Candidate Commissioners of the new College of the European Commission, or Commissioners designate as their service prefer to describe them. In particular we now have a Commissioner for the Digital Agenda following on from the work of the Information Society Commissioner in the last Parliament which culminated in the Telecom Package finally being adopted at the beginning of this new term last autumn.

I don't want to go into too much detail about the package, not least because people are already casting their minds forward to new situations and challenges, despite the fact that implementation is far from complete, but there are one or two aspects I do wish to

comment upon. In a way, the fact that we are thinking ahead when the ink is barely dry on the package does rather illustrate my point about the speed of change.

The package provides for the creation of BEREC the Body of European Regulators of Electronic Communications. This brings together the NRAs, the National Regulatory Authorities, of all the Member States at European Level so as to achieve a consistent and we hope, improved, regulatory framework particularly on cross-border issues. I am more familiar with the equivalent body in the energy field and in both cases it is too soon to tell how successful the concept will be, but I feel it will be an improvement. Given the right mix of powers Regulators have a vital role to play in making markets work and they have the flexibility to adapt to and deal with new situations far more quickly than legislators. Of course it is essential that they are independent.

The package was nearly stopped in its tracks through a virtual upraising online by a group of people who were seized of the notion that a provision in the text cleared the way for national authorities to require ISPs, internet service providers, to suspend or disconnect those who had been downloading copyright material without permission or payment and declined to desist at the third time of asking. This three strikes and you're out was viewed as an unwarranted censorship and curtailment of open or free access. In the end a compromise of words was agreed which gave comfort to both sides and allowed the rest of the package to go through. On the one hand, I can well understand the concern of internet users who see what is happening in China and Iran and their fear that such practices may spread to other parts of the world. On the other hand, my definition of free or open access does not extend to the meaning free as in no charge when someone else's property is involved. There is an old fashioned word for taking and using someone else's property and that word is neither free nor open.

Looking ahead, the most important element in the European ICT political landscape will be the initial priorities of our new Digital Agenda Commissioner Neelie Kroes and all the developments arising from or connected with them. So I will shamelessly borrow from the text of her written statement to the Parliament to outline them here:

First, Building the high speed networks of the future

A key element of Europe's competitiveness is widespread high speed access to the Internet. The Commission is committed to further developing its European broadband strategy which is based on competition, a mix of mobile and fixed technologies, and public-private partnerships. They will vigorously pursue the twin goals of giving all Europeans access to basic broadband by 2013 and of stimulating the rapid and widespread upgrade to new generation networks over the next 5 to 10 years. The first steps have been taken to promote public and private investment through the revised Telecoms framework and the State aid framework, but the Commission must continue to remove obstacles and create incentives, while respecting the principle of technological neutrality, to invest in the new services and the world class infrastructure that Europe needs.

Second, Making the online single market a reality

The e-economy has huge economic potential, but too often, individual consumers and businesses do not engage in online transactions across Member States because of legal and regulatory barriers. Over the past 18 months, Mrs Kroes has chaired a series of consensus-building roundtable meetings about online commerce. The roundtable participants have agreed to develop new licensing platforms and multi-territorial licenses and to establish a common framework for the exchange of rights ownership information, while some participants (such as Apple and Amazon) committed to increase geographic coverage of their services in the EU. However, there is much more to be done, on issues ranging from provision of digital content to reassuring consumers about electronic payments and their contractual rights. She wants to continue to ensure, in close cooperation with her colleagues, that the Commission is instrumental in the development of practical, proportionate and innovative solutions which will create a true EU online economy.

Third, Ensuring that all citizens participate in the information society

We must continue to improve the quality of online services in the public and private sector (such as eHealth, eGovernment, e-Inclusion). For this, we need effective ICT standards which promote notably interoperable solutions. We also need to ensure that the new technologies are secure, respect privacy, and that networks are reliable and resilient, open and neutral. All Europeans - including of course our younger generations - must be made aware of their rights and obligations on the Internet. This will require reinforced work for a

safer Internet, for example regarding violent videogames, and efforts to increase media literacy. We must continue our efforts to avoid a digital divide in our societies, for more vulnerable groups such as low-income households, older citizens and unemployed youths, and enhance instead the positive effects ICT brings for a sustainable digital economy.

Forth, Generating more, better targeted support for ICT research and innovation

European research and innovation is still fragmented, and our national research and education networks are underdeveloped, which together threaten our global competitiveness. Mrs Kroes feels strongly that ICT research and innovation is the key to meeting some of Europe's most serious challenges – from the development a low-carbon green economy to caring for our ageing population, and so needs to be at the centre of many of our future policy initiatives. We need to create better conditions for private investment in ICT Research & Development and strengthen and facilitate coordination of public support. Our research funding should be accessible to SMEs and innovative start-up companies in order to foster new European talent. She will be keeping a close eye on the management of the budget of the ICT part of the R&D Framework Programme (FP), of the Competitiveness and Innovation Programme (CIP), and of the other financial instruments under her responsibility. She also intends to take an active role in the development of the next financial perspectives for the ICT parts of the 8th FP (framework programme) and the successor to the current CIP. She will also review the operation of the existing Joint Technology Initiatives (Artemis and ENIAC) and prepare for new Public Private Partnerships in the ICT field.

Going on from this Mrs Kroes promises initiatives on the Digital Agenda in the near future. These include;

- a Recommendation on Regulated Access to NGNs (next generation access networks)
- immediate action to set up BEREC the European regulators referred to above
- a wide ranging consultation on universal service obligations
- encouraging Member States to complete their digital switchover by 2012 to free up spectrum for new services in wireless communications

- creating a single market for content and facilitating the digitisation of Europe's cultural heritage
- renewing the mandate of ENISA, the European Network and Security Agency
- Submitting a report on net neutrality to Council and Parliament by the end of 2010 in the light of the telecoms package provisions
- an interim report on the Roaming Regulation

I think you can see from this list, which is far from all she mentioned, that we are talking about a huge range of topics, and issues and players. So let me group some of these into themes that we must surely address in the European political landscape.

The first one that comes to mind is freedom and privacy. ICT in the hands of big government can either be a force for good or a cause for concern. The data collected and collated by the authorities means we must redefine what we mean by privacy. The existence of data protection legislation and agencies is a recognition of this new reality but how confident can the little man, the individual citizen, be that this information is safe from abuse either by the public authorities or by individuals hacking in? How confident can we be that the data is correct when we don't really know who has what and where it is stored? I suppose one should look on the bright side and reflect on the business opportunities for the security industry and software designers to come up with protective mechanisms.

A related concern is posed by the likes of You Tube and Facebook personal information. However, I am more perturbed by the disagreement between China and Google over internet censorship and the integrity of email traffic or the activities of Iran in cutting off mobile texting because they illustrate how vulnerable individuals are to state surveillance and challenge the notion that the information super highway can triumph over or circumvent authoritarian regimes. But I am also concerned about this issue of internet piracy and, for example, the Google project of digitising all the books in the Library of Congress, books which are supposedly subject to copyright protection yet have been digitised without prior consent.

Another concept is the digital divide which is bound up with the issue of next generation access. It seems to me that digital divide is open to more than one

interpretation and two of them pose challenges. The first, earlier one, was between users and non-users with the boundary being drawn between those comfortable with new technology and those who found it too difficult. This was thought to be a generational thing until all the silver surfers discovered a new means of communicating with their grandchildren and far distant friends. Then it became an issue of cost between those who can afford all the kit and subscriptions and those who cannot. Now it seems to be an urban rural divide between areas where the capital cost of new broadband capacity can be justified by the potential volume of use, i.e. towns and cities, and the rural areas of low population density. This is a modern version of the old debated about postal deliveries in the country or mobile access in remote regions, i.e. the universal service obligation.

Which brings me to a question I recall asking ten years ago when my committee was tackling the first telecoms package and the then issue of local loop unbundling. I wanted to know how providers were able to make any money out of all these wonderful developments on the internet. That was in the days of dial up access so I was told it was through phone charges. Now the situation is different thanks to a combination of advertising revenues and subscriber charges but the memory of all the money taken out of the mobile phone industry by the spectrum auctions for licenses still lingers and explains in part the reluctance on the part of providers to invest billions in the next generation infrastructure. A hint of things to come is the prospective readiness of Rupert Murdoch to begin charging up for access of some news content. Another is the proposal in the UK of a government internet levy to help pay for the provision in remote areas.

I want to close on this point. I have been conscious while drafting this speech of the almost intimidating number of aspects that could be covered by the topic, by their complexity and interconnection and by the speed at which they change. The possibilities of ICT in the European political landscape are immense and, I believe, overwhelmingly positive in nature even if someone of my generation finds them quite daunting. I can't see myself switching from reading books to viewing the electronic version but then I remember I resisted getting a mobile phone until the late nineties so you never know.